

164-53

COPY

NEW HAMPSHIRE LAW LIBRARY

SEP 03 1998

CONCORD, N.H.

1953

Nov. 25

Mr. Allan V. Evans,
Assistant Recreation Director,
Recreation Division
Room 401 Annex

Dear Mr. Evans:

This is to supplement my letter of November 24, 1953, relative to the liability of the State of New Hampshire for suit for damages.

It should be further emphasized that the rule that the state is not liable unless it has voluntarily assumed such liability for tortious acts of its officers, agents or servants resulting in injuries to individuals does not mean that the persons injured are remediless. The officer, agent or servant employed by the state committing the tort may be personally liable therefor and may be sued as any other citizen and held answerable for whatever injury or damage results from his tortious acts.

Very truly yours,

Arthur E. Bean, Jr.
Assistant Attorney General

AEB, Jr/EP